

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERAMY MICHAEL STEVENS,

Plaintiffs,

v.

COUNTY OF NEVADA, et al.,

Defendants.

No. 2:23-cv-01830-KJM-CKD (PS)

ORDER

Plaintiff, Jeramy Michael Stevens, proceeds pro se and in forma pauperis and seeks relief under 42 U.S.C. § 1983. On February 12, 2024, the court screened plaintiff's first amended complaint, determined the amended complaint failed to state a cognizable claim, and granted plaintiff leave to amend. (ECF No. 9.) Plaintiff has filed a motion requesting the court to appoint him counsel and an extension of time to file the second amended complaint. (ECF No. 10.) Plaintiff's request for counsel will be denied, but an extension of time will be granted.

It is "well-established that there is generally no constitutional right to counsel in civil cases." United States v. Sardone, 94 F.3d 1233, 1236 (9th Cir. 1996). Under "exceptional circumstances," a court may appoint counsel for indigent civil litigants pursuant to 28 U.S.C. § 1915(e)(1). When determining whether "exceptional circumstances" exist, a court considers both "the likelihood of success on the merits as well as the ability of the petitioner to articulate [the]

claims pro se in light of the complexity of the legal issues involved.” Palmer v. Valdez, 560 F.3d 965, 970 (9th Cir. 2009).


The court has extremely limited resources to appoint attorneys in civil cases. Having considered the factors under Palmer, the court finds plaintiff does not meet the burden of demonstrating exceptional circumstances warranting the appointment of counsel at this time.

In accordance with the above, IT IS ORDERED as follows:

1. Plaintiff’s request for appointment of counsel (ECF No. 10) is denied;

2. Plaintiff is granted an extension of time of 60 days from the date of this order in which to file the second amended complaint.

Dated: March 19, 2024


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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